

FILED

October 27, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: CC
DEPUTY

October 27th, 2021

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And:

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And:

Defendant's Counsel: Donald E. Uloth
Texas Bar No. 20374200
18208 Preston Rd. Suite D-9 #261
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And:

Trial Court Coordinator: Dallas 162nd District Court

Court Coordinator: Melinda Thomas

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Dallas, Texas 75202

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Re: Kimberly D. Hogan Vs. Aspire Financial Inc.

No. 1:21-CV-0892-RP United States District Court Western District of
Texas Austin Division

No. 21-0556 in Supreme Court of Texas

No. 05-19-00385-CV in Dallas 5th Appellate court

And the Lower Court:

No. DC-18-01806 in Dallas County 162nd District Court

I, Kimberly D. Hogan received this e-mail (see below) with these attached PDF Documents (see below) from Lisa Matz AFTER BUSINESS HOURS (as always from Lisa Matz), interestingly the very following day after you all who were avoiding being Served finally got Served your papers when I finally successfully Submitted this Accepted Filing:

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:dbc2652f-7e0e-469a-b44b-e3565a120584>

← **Case Notices for: 05-19-00385-CV**



noreply-tames@txcourts.gov

to Me

Yesterday, 6:14 PM



Notice(s) for the following case(s) are attached:

COA # 05-19-00385-CV / TC # DC-18-

01806 (2)

1. MANDATE ISSD_CV_FILECOPY.pdf

2. 190385 mandate.pdf

Thank you,
Lisa Matz - Clerk of the Court
Fifth Court of Appeals

Do not reply to this message. If you have questions, please
contact the Court at (214) 712-3450.

[NoticeBatchID: ecea17bb-bc9a-41bf-a9f0-776e296697f6]

5th COURT OF APPEALS



05-19-0...PY.pdf



05-19-...ate.pdf



Forward



More

Chief Justice
 Robert D. Benson, III

Justices
 Lisa Matz
 David J. Bernstein
 Kim McLaughlin
 Linda Harmon
 Renee Patricia Kayson
 Rick Peterson, III
 Amanda L. Richter
 Darla A. Smith
 Gary L. Cantrell
 Brenton Lee Genderson
 Chad Harris
 Christine Garcia



**Court of Appeals
 Fifth District of Texas at Dallas**

600 Commerce Street, Suite 200
 Dallas, Texas 75202
 (214) 752-6400

FILE COPY

Lisa Matz
 Clerk of the Court
 (214) 752-6478
lsmatz@5th.dcourts.gov

Memorandum
 Records Administration
 (214) 752-6417
records@5th.dcourts.gov

Fax/Email
 (214) 740-0880

Internet
www.fifthdistricttexas.com

October 26, 2021

Kimberly D. Hogan
 10015 Lake Creek Parkway
 #621
 Austin, TX 78729
 * DELIVERED VIA E-MAIL *

Donald E. Uloth
 The Law Office of Donald E. Uloth
 18208 Preston Road
 Ste. D9 #261
 Dallas, TX 75252-6011
 * DELIVERED VIA E-MAIL *

Felicia Pitre
 Dallas County District Clerk
 George Allen Sr. Courts Building
 600 Commerce Street, 1st Floor
 Dallas, TX 75202
 * DELIVERED VIA E-MAIL *

The Honorable Maricela Moore
 162nd District Court
 George Allen Sr. Courts Building
 600 Commerce St., 7th Floor New
 Tower
 Dallas, TX 75202
 * DELIVERED VIA E-MAIL *

RE: Court of Appeals Number: 05-19-00385-CV
 Trial Court Case Number: DC-18-01806

Style: Kimberly D. Hogan
 v.
 Aspire Financial, Inc., d/b/a Aspires Lending

Today pursuant to Rule 18 of the T.R.A.P. the mandate has been issued. The parties are advised that: (i) exhibits submitted to the Court by a party may be withdrawn by that party or the party's attorney of record; and (ii) exhibits on file with the Court will be destroyed six years after the final disposition of the case, but if ordered by the Court, may be destroyed earlier.

Respectfully,

FILE COPY

/s/ Lisa Matz, Clerk of the Court



**Court of Appeals
Fifth District of Texas at Dallas**

MANDATE

**TO THE 162ND JUDICIAL DISTRICT COURT OF DALLAS COUNTY,
GREETINGS:**

Before the Court of Appeals for the Fifth District of Texas, on the 28th day of May 2021, the cause on appeal to revise or reverse the judgment between:

KIMBERLY D. HOGAN, Appellant	On Appeal from the 162nd Judicial District Court, Dallas County, Texas
No. 05-19-00383-CV V.	Trial Court Cause No. DC-18-01806.
ASPIRE FINANCIAL, INC., D/B/A	Opinion delivered by Justice Smith.
ASPIRES LENDING, Appellee	Justices Norwell and Garcia participating.

was determined; and this Court made its order in these words:

In accordance with this Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

It is **ORDERED** that appellee ASPIRE FINANCIAL, INC., D/B/A ASPIRES LENDING recover its costs of this appeal from appellant KIMBERLY D. HOGAN.

WHEREFORE, WE COMMAND YOU to observe the order of the Court of Appeals for the Fifth District of Texas, in this behalf, and have it duly obeyed and executed.

WITNESS the HON ROBERT D. BURNS, III, Chief Justice of the Court of Appeals, with the Seal thereof affixed, at the City of Dallas, this 26th day of October 2021.



Lisa Matz

Lisa Matz, Clerk

Now Lisa Matz, what I want to know is:

- 1.) Were my Records Evidence and Exhibits Destroyed?
- 2.) Were my Records Evidence and Exhibits ORDERED to be Destroyed?
- 3.) If so, Who Ordered my Records Evidence and Exhibits to be Destroyed?
- 4.) And if so, When were my Records Evidence and Exhibits Destroyed?
- 5.) And, Why would my Records Evidence and Exhibits be Ordered to be Destroyed during a Live and Open Ongoing Case!?

IF such an Order to Destroy my Records Evidence and Exhibits exists I insist a copy of that Order be sent to me immediately!

Submitted,

/s/ Kimberly D. Hogan

Kimberly D. Hogan

10015 Lake Creek Pkwy. #621

Austin, Texas 78729

(303)246-1587

kdhogan@ymail.com

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 58603287

Status as of 10/27/2021 4:26 PM CST

Associated Case Party: Aspire Financial, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Donald Uloth		don.uloth@uloth.pro	10/27/2021 4:22:21 PM	SENT
Felicia Pitre		felicia.pitre@dallascounty.org	10/27/2021 4:22:21 PM	SENT
Lisa Matz		TheClerk@5th.txcourts.gov	10/27/2021 4:22:21 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Melinda Thomas		mthomas@dallascourts.org	10/27/2021 4:22:21 PM	SENT
Kristen Golby		kristen.golby@txcourts.gov	10/27/2021 4:22:21 PM	SENT